



## AETC News Clips Altus AFB, Okla.



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# Altus AFB, businesses threatened by fire

*by Michael Bush,  
managing editor*

**ALTUS** - Continued dry conditions and high winds results in several area grass fires including one in an area south of Altus AFB that came dangerously close to Wilmes GM Superstore, the VFW and the Elk's Lodge Golf and Country Club. The fire did result in a railroad trestle in the area to burn and a train car falling through.

Firefighters began getting fire calls around 2 p.m. Sunday, including one four miles south of Altus along U.S. Highway 283, one two miles west of Altus on West Bradford Street, and one three miles north of Duke along State Highway 34. Smaller grass fires were also reported in Duke, Olustee, Martha, Blair, Headrick, Friendship and Warren, as well as nearby Texas towns of Childress, Wheeler, Allen Reed and Miami areas. A fire west of Altus near

Bitter Creek rekindled around p.m. and another fire three miles east of Blair was reported at 8:45 p.m.

Although the blaze south of Altus AFB briefly got into the perimeter of the base, burning some grass and brush, there were no injuries reported. As a precaution, 110 base residents relocated to the base gymnasium, and another 200 residents evacuated their dormitories. Officials have since permitted all to return their residences. Other residents were also advised to prepare for evacuation. The fire did burn and collapse a pole that supported a power transformer resulting in a power outage at the base. Power was restored by 10:30 p.m.

Firefighters from Duke, Olustee, Martha, Blair,

*The Altus Times*

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**Headrick, Friendship, Warren and Altus Air Force Base joined Altus firefighters in battling the blaze near Altus AFB. Barracades were later put up in the area because of a large number of on-lookers.**

**Firefighters continue to survey for any "hot spots" that might reignite and are**

**dousing them with water today.**

**Smoke, and the smell of smoke, was heavy in the air throughout the city at various times Sunday. Citizens are reminded that the area is in a "Red Flag Alert" and are urged to take all necessary precautions to avoid future grass fires.**



**Several fires broke out in the Altus area Sunday including this one just south of Altus AFB. The grassfire eventually caught a railroad trestle on fire which caused a train car to fall through, right.**

*The Altus Times*

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# AETC News Clips

## Laughlin AFB, Texas



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### **TRI-CARE Premiums focus of meeting**

**By Bill Sontag**  
Del Rio News-Herald

Published March 12, 2006, p. 1

"When you say 'proposed,' it's going to happen! Everybody here needs to get on the phone and call Henry Bonilla."

— Master Sergeant (retired) David Scarbo

To many, it may be peculiar geopolitical timing to tell military members that health care insurance premiums will increase the moment they retire, but the Department of Defense and the carrier, TRICARE, have proposed precisely that.

And current retirees are even less enthused, bombarding congressional representatives with their disappointment and insistence that the proposed rules be abandoned immediately. The proposal comes on the heels of provocation still stirring retiree confusion and discontent when health benefits were changed from Humana Healthcare to TRICARE.

Tuesday, Col. (Doctor) Laura Torres-Reyes, Laughlin Clinic director, held a "town hall" meeting at Anderson Hall, which afforded a larger audience capacity than the Base Theater where previous medical services meetings have been held. Instead of a larger audience, only about 40 were present.

Torres-Reyes welcomed the small crowd, and presented a prepared Power Point© graphics-and-text program advancing the planned increases in retirees' insurance premiums.

Entitled "Sustaining the Military Health Benefit," the program claimed that the current health system is doomed if not infused with more money.

The money would be derived from increased premiums to policy holders, a sore point among retirees who say they were told, upon enlisting, that health care would be "free for life."

Explaining the mission of the proposed changes, Torres-Reyes said the "Vision" includes "placing the program on a sound fiscal foundation for the long term."

"We're going broke ... something's got to give," said Torres-Reyes, acknowledging that high numbers of injured veterans from the Middle East wars have contributed to the shortfall.

The stated goal of the program is to "pass legislation and implement rule changes in 2006 that allow the Department [DOD] to adjust the health benefit and manage it more effectively for the long term."

Torres-Reyes' program ticked off a dozen improvements in the TRICARE health system since its inception in 1995, adding that "DOD provides the best health benefit program in the nation," and that "actions now will avert a crisis in the future," and "the current program trend is unsustainable."

*Del Rio News*

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TRICARE contends that program expenses have ballooned as a result of inflation, no changes in premium fees in the last decade, and because beneficiaries paid 27 percent of total costs in 1995, and only 12 percent today.

Part of the problem, Torres-Reyes explained, is the good news that modern medicine keeps more warfighters alive despite wounds on the battlefield, but they are coming home with significant injuries.

TRICARE's "framework for benefit adjustments" clearly targets military retirees below the age of 65. No changes are proposed to increase premiums for active duty personnel or those above 65, enrolled in "TRICARE for Life" programs.

Torres-Reyes displayed a chart in which proposed increases for premiums and deductibles tell the story of DOD changes to TRICARE. It may be viewed at [www.tricare.osd.mil/STB/index.cfm](http://www.tricare.osd.mil/STB/index.cfm).

As an example, tracing the changes proposed in Fiscal Year 2007 and 2008, for the minimal coverage called TRICARE Standard, a retired junior enlisted member enrollee (with family) would sustain an annual enrollment fee of \$150 in 2007, and \$280 in 2008. Further increases will be "indexed" to the civilian Federal Employees Health Benefit Plan.

TRICARE Standard plan now requires no enrollment fee.

For retired senior enlisted TRICARE Prime enrollees (the more expensive and thorough health care coverage), enrollment fees are currently \$460 per year for the member and immediate family. They would rise in FY 2007 and FY 2008, respectively to \$700 and \$950.

Throughout the afternoon presentation, Torres-Reyes emphasized the TRICARE fee changes are only "proposed," but many audience members expressed belief that the campaign is a sure sign that the amendments will soon affect their pocketbooks, short of eleventh hour changes.

"When you say 'proposed,' it's going to happen! Everybody here needs to get on the phone and call [U.S. Rep.] Henry Bonilla," thundered Master Sergeant (retired) David Scarbo.

Several audience members commented that TRICARE Online is difficult to navigate, that prescription drug policies and availability are confusing, and their disappointment that they were promised free health care upon retirement.

Torres-Reyes stressed that the Laughlin Clinic's TRICARE Service Center is available to answer questions, to help sort out problems, and to find solutions to such problems.

Warren Beitel, retired Petty Officer 2nd Class, Coast Guard Reserves and retired National Park Ranger, extolled the service he's gotten at the center. He's made about five visits to the TRICARE Service Center recently, and found the staff receptive and helpful.

Torres-Reyes encouraged the retirees to use the facility, adding that the TRICARE Service Center at the Laughlin Clinic must be visited in person. "No phone calls," Torres-Reyes said.

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## Luke AFB, Ariz.



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## Walk saves jets from deadly debris

**David Madrid**

The Arizona Republic

Mar. 4, 2006 12:00 AM

At Luke Air Force Base, everybody's doing the FOD walk.

The FOD walk isn't some funky dance. It's a deadly serious method of working that requires everyone on the base's flight line and in engine shops to keep their eyes to the ground in search of FOD - foreign object debris.

Vehicles must stop before entering the flight line so the tires can be checked for FOD.

The problem with foreign objects and debris on the flight line is that a simple pebble sucked up into an F-16 engine could destroy the engine, which, in some cases, could come apart and hurt or kill somebody. Or the single F-16 engine could fail while the jet is in flight. A crash will destroy a \$25 million jet fighter. The pilot could be hurt or killed.

"From a dollar standpoint, it (FOD damage) can be catastrophic for the base, or we could lose a human life, or it could cause a person to have to get out of the airplane," said Col. Dave Orr, 43, vice commander of the 56th Fighter Wing and overall base FOD program manager.

With 170 sorties a day being flown at Luke, whose mission is training F-16 pilots and crew chiefs, it beomes extremely important that the flight lines and taxiways are kept FOD-free, Orr said. One of the first things an airman is taught when arriving at Luke is about FOD.

Luke's attention to FOD has been paying off. In 2001, the base suffered \$4 million in FOD damage. In 2005, FOD cost the base only \$35,000.

To help achieve the cleanliness desired, a FOD Boss device is used. The FOD Boss, a product of Tucson-based F.O.D. Control Corp., is a specialized mat that is dragged behind a truck.

Even so, on a FOD walk Tuesday, in which about 50 members of the 309th Fighter Squadron lined up across the flight line, enough FOD was found to fill a fourth of a quart-size plastic bag with paper, pebbles and other FOD.

Another key element in defending against FOD is the care and tracking of tools used on the flight line or in the engine shop. A stray wrench could cause massive damage to an F-16 engine. Every tool must be accounted for, and if one isn't accounted for, then the search is on until that tool is found.

Master Sgt. Ryan Boyer, 39, of San Jose and Tech. Sgt. Steve Hult, 34, of Beresford, S.D., are FOD prevention non-commissioned officers.

Hult said the base is constantly developing ways in which to keep FOD foremost on everybody's mind. There are programs such as the golden tool program. A fake tool is left somewhere on the flight line. The tool is small and made of paper so it is no danger to aircraft.

"The person who finds the tool tells us, and they get a day off," Hult said.

There are other incentive programs, such as a slogan contest. FOD slogans are everywhere, including an electronic information board at the base's South Gate.

*The Arizona Republic*

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# AETC News Clips

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### Lights go up over Luke's eastern runway

*Project finish should ease air traffic to north*

**David Madrid**

The Arizona Republic

Mar. 11, 2006 12:00 AM

Luke Air Force Base has completed runway work that was responsible for more aircraft traffic north of the base over El Mirage, Surprise and the Sun Cities.

While Luke officials say F-16 traffic to the north should lessen now that construction on the south end of the eastern runway is over, they note the direction of flights hinges on wind direction and safety, so some flights to the north will continue.

No flights with live arms are flown to the north, due to residential encroachment by El Mirage and Surprise.

Luke spent a year completing upgrades to the north and south end of its eastern runway, said Capt. Megan Kinne, 29, airfield operations flight commander.

With the end of construction, both ends of the runway now have an approach lighting system that will lead pilots onto the runway safely at night. There are five lights on the top of the system's poles, and a flashing light underneath those lights.

On the north side of the base, orange poles with lights staircase up from the runway and cross Northern Avenue.

The reason for the lights is to train pilots in conditions they will face on many runways, which use the approach lighting system, said Col. Timothy Strawther, 44, commander of the 56th Operations Group.

"Most bases use a system similar to the one here," he said.

The southern end of the runway also has lights, but they are much lower, with some lights mounted in the runway concrete. Because there is no road to cross, there was no need for the stairstepping poles.

The western runway still has no lights. This gives pilots the option to practice on a runway without lights, conditions they will also face, Strawther said.

The base shut down the north end of the eastern runway first to install the lighting system, make it water- and rodent-proof, and protect the construction workers from F-16s taking off and landing, Strawther said.

That work was completed in October, and then the construction on the southern end of the runway began.

Senior Master Sgt. Michael Baker, 41, an airfield manager, said the light poles are designed to break away in case an airplane hits them.

The lights are also important because of the amount of night flying done in the war zones in Iraq and Afghanistan.

"The reason we train and fly at night is because there is an operational need for combat F-16 units to have night proficiency," Strawther said.

He also noted that there will always be runway work and maintenance, though there are no major projects in the pipeline now.

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**Arizona Daily Star®**  
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## Enough talk; keep motorists off cell phones

**Our view: The Legislature should pass a pair of bills meant to stop drivers from using hand-helds, but motorists should also curb this risky behavior.**

In 1929, American Paul Galvin invented the car radio. Soon after, we can assume, a driver somewhere was fiddling with the radio's knob while on the road and rear-ended another vehicle.

Bam! The distracted driver was born.

The radio has been trumped in its ability to distract by the ubiquitous cell phone. A handful of states, mostly in the East, have passed laws to get drivers to put their cell phones down and pay attention to the road — or, at the very least, to use a hands-free device.

In Arizona, military bases have taken the lead on the issue. Davis-Monthan, Fort Huachuca in Sierra Vista and Luke Air Force Base in Glendale prohibit the use of hand-held cell phones while driving.

We believe that a pair of bills in the Legislature meant to stop motorists from using cell phones deserve consideration and that it's time for motorists to take responsibility in ending this potentially dangerous behavior.

The two bills stalled in the state House of Representatives aim to prevent drivers from talking on their cell phones. One bill targets all drivers; the second targets only drivers under age 18.

Both bills would make using a cell phone while driving punishable by a fine of \$50. If an accident occurred while the person was using a cell phone, the fine would be \$200.

Such laws would give law enforcement a tool to crack down on dangerous behavior, and more distracted drivers would be held accountable for the accidents they cause.

Sgt. Tim Beam, a traffic-accident investigator with the Tucson Police Department, said authorities don't have hard figures on how many accidents in Tucson are caused by people using cell phones. But he did say a large number of the 16,844 reported collisions in 2005 fell under the category of "inattention."

Beam supports the two bills idling in the Legislature.

"Anything that will keep people from doing anything other than driving in the car will be effective," he says.

But in the long term, our community should launch a public-information and awareness campaign similar to what was done to increase the use of seat belts and reduce drunken driving.

Educating (or scaring) drivers with photos of vehicle accidents involving cell phones could get them to think twice before pushing the next number on their speed dial.

Rep. Tom Prezelski, a Tucson Democrat, supports both bills.

He says the fight against cell-phone use while driving is similar to the battle Mothers Against Drunk Driving waged.

"The reason MADD was so successful wasn't all the laws it helped pass," Prezelski said. "MADD created an attitude where people took the issue of drunk driving more seriously."

"That's what we're trying to do. We want people to take the act of driving more seriously. We want to make it unpopular for people to talk on cell phones while driving."

The bills might deter some people from chatting and text-messaging while driving, but like seat-belt and drunken-driving laws, it's not a sure-fire solution.

Citizens know that driving while using the cell phone takes their eyes and attention away from the road. But putting the phone away will be no easy feat — we've become accustomed to talking anywhere and anytime.

Whether Arizona gets a cell-phone ban or not, we need to police ourselves. Driving safely is a matter of personal responsibility.

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# AETC News Clips

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The next time you yearn to chat while driving, relax and enjoy Paul Galvin's great invention. It's less distracting than a conversation on your hand-held cell phone.

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# AETC News Clips

## Luke AFB, Ariz.



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### **Coulliette learns about issues**

*Residents share concerns with mayoral candidate*

**Cecilia Chan**

The Arizona Republic  
Mar. 10, 2006 12:00 AM

Mayoral candidate Roy Coulliette introduced himself this week as a small-business man who could bring a fresh perspective to City Hall.

Coulliette, whose platform includes responsible growth and traffic, so far faces Councilwoman Pat Dennis in September for the seat. Peoria Mayor John Keegan is term-limited out of office. Councilman Bob Barrett is pondering a run for the job also.

"Everybody's excited I'm running - somebody who's never been a politician and a small-business man," the owner of Turf Soaring School in northern Peoria said. "Responsible growth and taking care of traffic are the biggies for everybody."

Coulliette and his campaign manager Joe McCord have knocked on doors in most of the established neighborhoods and plan to visit the West Wing and Vistancia developments.

"You name it, I've been there," he said.

Monday took the duo to Ventana Lakes, where McCord lives and is a member of its homeowners association board.

Gloria Trueax gladly signed Coulliette's nomination papers.

"My concern is the growth," Trueax said. "To me, the traffic problem out here has grown tremendously. Five years ago we were an isolated community. Now we are surrounded by so much."

Resident Tim Willems also was concerned with traffic and with road construction that "tears apart the city every year."

And "I don't understand why they don't put a portable stoplight at Happy Valley and Lake Pleasant roads to make it easier for traveling," he said after signing Coulliette's papers.

Coulliette, a 29-year Peoria resident, has been attending council meetings to acquaint himself with the city's issues.

He has the backing of Pine District Councilman Carlo Leone and touts a number of other endorsements, including Barry M. Goldwater Jr., a retired California congressman and son of the late renowned Arizona senator, and TV journalist Hugh Downs, who lives in Paradise Valley.

Coulliette said he is also concerned about preservation of Luke Air Force Base and the establishment of Pleasant Valley Airport as the airport for Peoria.

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# AETC News Clips

## Maxwell AFB, Ala.



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### JAGs soar on legal wings

By **Topher Sanders**  
Montgomery Advertiser

An Air Force airman was dealing LSD on base. He got caught.

It was up to Capt. Alan Spencer, an attorney, to represent the Air Force and seek justice. He argued that the airman should get 24 months of confinement and a discharge from the military.

That didn't happen, but only because the airman didn't exist and the case was just part of Spencer's training at the Air Force Judge Advocate General (JAG) School at Maxwell-Gunter Air Force Base.

There are about 1,270 JAG officers in the active-duty Air Force, and all of them began their Air Force legal careers at the Maxwell-based school.

"This training is very much a practical approach to teaching us what we will experience when we get to our bases," said 1st Lt. Corrie Westbrook, who was Spencer's assistant trial counsel during the training exercise.

Westbrook, Spencer and 54 other attorneys are learning military law at the school's Judge Advocate Staff Officer Course. The course is nine weeks long and serves as the attorneys' first taste of military law.

The school produces about 100 new JAG officers every year.

Capt. Jacqueline Stingl went through the school about two years ago. She is now an assistant staff judge advocate for the 42nd Air Base Wing at Maxwell. The job, she said, is not as sexy as some people might think.

"We do a lot more than what people see on television," she said. "And while I love my job, people may not think it is as glamorous as the TV shows."

Stingl said her duties range from providing legal services like assisting with wills and powers of attorney to trying military court cases and advising commanders on possible punishment for wrongdoers.

Every military base has a JAG office to assist commanders and airmen, and to execute military justice. The size of a JAG office depends on the size of the base it serves.

There are nine attorneys at Maxwell to serve about 3,500 uniformed members, 10,500 active-duty family members and 13,000 retirees. Each base also has an area defense counsel, a JAG officer who defends airmen accused of violations.

Stingl said being a military attorney allows her to deal with several kinds of law.

"We rotate our focus areas in an office, so we get an opportunity to see the different areas of military

*Montgomery Advertiser*

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## Maxwell AFB, Ala.



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law," she said.

Spencer, a former JAG officer for the U.S. Navy, said he was hungry for more military law after spending three years practicing civilian law.

"I missed the moving around and all the different people you get to meet in the military that you don't get the chance to interact with in a civilian practice," he said.

Maj. Daniel Olson, an instructor at the JAG School and the judge in Tuesday's moot court, said JAG officers have a special client.

"You are serving your country," he said. "In the civilian world, lawyers don't like each other and there is lots of competition. But as JAGs we are all of the same team. We are all here to represent the Air Force."



Capt. Alan Spencer makes a point during Tuesday's moot court training session



Students and staff of the Judge Advocate General School wrap up a moot court session Tuesday at Maxwell-Gunter Air Force Base in Montgomery.

*Montgomery Advertiser*

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# AETC News Clips

## Tyndall AFB, Fla.



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## **Tyndall : Airborne jet lost canopy**

*By Ed Offley  
News Herald Writer 747-5079 / eoffley@pcnh.com*

### **TYNDALL AIR FORCE BASE**

It was a normal training flight that quickly became far from routine.

An F-15C Eagle fighter assigned to the 2nd Fighter Squadron at **Tyndall** Air Force Base was carrying out a “basic maneuvers” mission Friday morning when its plastic canopy unexpectedly blew off, officials confirmed Tuesday.

The aircraft was flying over St. Vincent Sound about 1½ miles west-southwest of the Apalachicola airport when the mishap occurred about 10 minutes after takeoff, **Tyndall** officials announced in a statement to The News Herald. “The canopy is suspected to be in a remote area near the north coastline of St. Vincent Sound,” the statement added.

**Tyndall** officials conducted an aerial search for the missing canopy without success.

“An incident like this is highly unusual,” base spokeswoman Lt. Elaine Hunnicutt said.

Air Force officials said the plastic canopy measures 4 feet wide and 10 feet long, with a weight of about 175 pounds. The pilot, who was not injured in the accident, was able to return the aircraft to **Tyndall** where it made a safe landing shortly after 10 a.m., Hunnicutt said.

**Tyndall** officials decided not to announce the loss of the canopy last week because of the remote location of the accident, the spokeswoman said.

Because a safety board investigation into the accident is under way, **Tyndall** officials released neither the name of the pilot nor many details of the incident, Hunnicutt said.

“This will be ‘privileged safety information’ not releasable outside of USAF channels,” she said.

The accident has been termed a Class B mishap, which is defined as one causing between \$200,000 and \$1 million in damages.

*The News Herald*

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# AETC News Clips

## Vance AFB, Okla.



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### Experience big draw for Air Force lawyers

**By Jeff Mullin Senior Writer**

CNHI News Service

March 13, 2006

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— Starting salaries for young attorneys in one Columbia, S.C., law firm recently were raised from \$100,000 to \$115,000.

A Chicago law firm recently bumped its starting salary for young lawyers from \$125,000 to \$130,000.

Salaries at smaller firms, with between 10 and 35 attorneys, can expect to bring home \$41,750 to \$64,500 as a starting wage.

On the other hand, Air Force captains, with two years experience or less, bring home \$37,500, plus a monthly housing allowance.

So why would attorneys choose an Air Force legal career rather than one in the civilian world? Experience, for one thing. The lawyers in the Staff Judge Advocate Office at Vance Air Force Base do everything from prosecuting crimes to helping retirees draw up their wills.

“In the private sector, the first three or four years, you typically are a glorified paralegal,” said Capt. Michelle Crawford, deputy Staff Judge Advocate at Vance. “You don’t do much in terms of actual court.”

Crawford, a native of Arkansas, graduated from law school at University of Arkansas-Little Rock. The desire to serve her country, and to plunge headfirst into the legal profession, led her to the Air Force.

“I decided to come into the Air Force because of the fact you get a lot of experience doing a lot of different things,” she said. “We do labor law, we do contract law, we do environmental law, we do prosecutions, so you get a whole array of experience.”

The divorced mother of two says she has a “great job,” which has enabled her to serve both as a defense counsel as well as a prosecutor. This, she says, gives her a unique perspective in handling criminal cases.

“On the prosecuting side, you don’t really think about the people element behind it,” said Crawford.

Her first case as a defense attorney, she said, was an 18-year-old pregnant enlisted woman charged with being absent without leave after she went home to her boyfriend.

“I didn’t know how to defend this case,” Crawford said. “She went home and she shouldn’t have. I had to learn the human element. You start realizing the reasons behind what she did.”

Capt. David Gassoway, chief of military justice for Vance SJA Office, is a former public defender in St. Louis.

“I like military justice,” said Gassoway. “I like knowing the different aspects of how to do things within the military, but military justice is where my heart is.”

Among Gassoway’s duties are prosecuting military justice cases and representing the government on discharge boards. His role has changed drastically since his public defender days.

***Enid News & Eagle***

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“I don’t know which side is the good side and the bad side,” he said, laughing. “It’s definitely taken some adjusting to do the prosecution side, coming from the defense side. On the other hand, it makes it a little bit easier because you have an idea of how defense counsel is thinking.” Lt. Col. Steve Dubriske, Vance’s staff judge advocate, followed his father into the Air Force. His dad was a pilot who retired as a lieutenant colonel.

“This was an easy choice for me,” said Dubriske, “primarily because of the experience level you get starting out. You learn on the job, but you have to have some ability to hit the ground running.”

Master Sgt. C.J. Stein, paralegal and superintendent of the Vance law office, spent the first nine-plus years of his career in law enforcement before cross-training into his present job.

“I like being in the legal office and having the interaction with the different units because a lot of people don’t see how this leads to accomplishing the Air Force’s overall mission,” said Stein.

“But the catch phrase in the Air Force is ‘Good order and discipline is essential to accomplishing the mission.’ We’re a tool for the commanders to ensure good order and discipline.”

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# AETC News Clips

## Vance AFB, Okla.



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### Military courts offer different levels of prosecution

**By Jeff Mullin Senior Writer**  
CNHI News Service

March 13, 2006

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— An airman at Vance Air Force Base is caught using cocaine, while a staff sergeant is accused of defrauding the government.

Both were subjects of courts-martial at Vance. Both were convicted.

Courts-martial are not common at Vance. There were only two last year, but there could be as many as eight this year.

Far more common are Article 15s, non-judicial actions presided over by the accused member's commander. Vance conducts some 30 Article 15 actions each year.

Among the infractions for which Vance troops have been subject to Article 15 actions in the past year are adultery, providing prescription medication to another military member, driving under the influence of alcohol and downloading and viewing pornographic photographs on a government computer.

"It's a forum choice," said Lt. Col. Steve Dubriske, Vance's staff judge advocate. "It's not considered a conviction."

The accused can decide to either have the commander serve as judge and jury or go to court-martial.

"We generally will not offer an Article 15 unless we can prove it beyond a reasonable doubt at a court-martial," said Dubriske. "That risk is there that they can turn it down. Then you either have to save face and take something to court-martial you can't prove or you lose face by withdrawing something you don't have the evidence to prove."

Punishments for recent Article 15 infractions at Vance include demotion, restriction to base, loss of pay and assignment of extra duties.

Just because a military member elects an Article 15 action, Dubriske said, doesn't mean there will be punishment.

"It's not a rubber stamp by any means," he said. "We've had cases here at Vance where, once (the commander) looks at the evidence, they say 'No, I'm not convinced beyond a reasonable doubt this person did this,' and we've dropped them."

The commanders make the ultimate decisions, with advice from a member of the SJA office, as well as other officers or enlisted personnel familiar with the case.

"They're going to get input from everybody in making that decision," said Dubriske. "When the day ends it's going to be the commander's call."

Some offenses, such as rape, are so serious the accused will not be offered an Article 15 action. These cases go straight to a court-martial.

Courts-martial are divided into summary, special and general courts-martial.

Summary courts-martial are similar to Article 15 hearings in that one officer hears the evidence against the accused. Those are not often conducted.

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# AETC News Clips

## Vance AFB, Okla.



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The punishment special courts-martial can levy are limited by statute — up to a year in jail and a bad conduct discharge.

“You can try any case in a special court-martial, but the sentence is limited,” said Dubriske.

“You generally are going to try your more minor cases that aren’t appropriate for Article 15 but aren’t so serious that you need a felony-type prosecution.”

Special courts-martial require a jury panel of at least three people who must be superior in rank to the accused. Enlisted troops coming before a special court-martial can request a third of the panel be made up of other enlisted personnel.

General courts-martial require a jury panel of at least five. Unlike in civilian criminal courts, the verdict does not have to be unanimous, with the exception of cases carrying the death penalty. A two-thirds vote is required for conviction if the penalty is 10 years or less, three-quarters if the penalty is more than 10 years. There is no such thing as a hung jury in military courts — if the vote to convict doesn’t meet the minimum, the accused is acquitted.

General courts-martial are preceded by Article 32 hearings, essentially the military equivalent of a grand jury.

“It’s much better than a grand jury because it’s not secretive,” said Dubriske. “You get to be there, your counsel gets to be there, you get to put on evidence, you get to test the government’s evidence, then an officer makes a decision on whether or not to refer the case for trial.”

In the case of a court-martial involving a Vance military member, Dubriske or one of his fellow attorneys would serve as prosecutor.

The defense attorney would come from the Area Defense Counsel office at McConnell Air Force Base in Wichita, Kan.

As with all military legal matters, the services of Area Defense Counsel are free to members. In addition, any costs incurred during evidence gathering or for expert testimony are covered by the government.

In case of a conviction in a court-martial, an appeal is automatic. Cases can go as high as U.S. Supreme Court.

“The people that are accused of crimes in the military justice system actually get more rights,” said Capt. Michelle Crawford, deputy staff judge advocate at Vance.

If a military member is accused of a crime off-base or in the base housing area, the local district attorney’s office has jurisdiction.

“We will generally ask for jurisdiction to handle the case,” said Dubriske. “Most of the time they will give it to us. Once we have jurisdiction we handle it through our system.”

That system, Dubriske said, is “overall a very fair system.”



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### Law of gravity is the only one that doesn't concern Vance SJA office

**By Jeff Mullin Senior Writer**

CNHI News Service

March 13, 2006

— The pilots who take to the skies every day above Vance Air Force Base adhere to one set of laws, Sir Isaac Newton's laws of motion, in order to defy another, the law of gravity. Another group on the base deals with a far more down-to-earth set of laws, however. The men and women of Vance's Judge Advocate General office are more concerned with the Uniform Code of Military Justice and the laws of Oklahoma and the United States than the principles governing flight.

"We handle all legal issues for Vance Air Force Base," said Lt. Col. Steve Dubriske, the base's staff judge advocate. "Our primary job is to advise commanders on good order and discipline." That's where Uniform Code of Military Justice comes in. That's the foundation of military law in the United States, passed by Congress in 1950 to standardize the justice codes of all branches of the military.

UCMJ, found in Chapter 47 of the United States Code, covers everything from desertion and insubordination to murder.

"They say military justice's job one is to maintain discipline of the fighting force," said Dubriske. "Since then it's evolved to any legal issue that comes along."

The office's three attorneys, including Dubriske, three paralegals and civilian court reporter, handle legal issues ranging from wills and powers of attorney, to prosecution of crimes before courts-martial.

"We see pretty much everything in this office," said Dubriske, "from civil law issues to justice." Vance's legal office serves all active duty members and their families, as well as retirees and members of National Guard and Reserve, providing everything from notary public services to handling claims regarding landlord-client disputes. Vance's attorneys cannot represent clients in civilian court but may act as advisers.

That free legal assistance, Dubriske said, saves clients some \$180,000 per year in fees. The office served between 800 and 900 clients in 2005, he added.

"That's another of those benefits when you talk about military pay," said Dubriske. "Not only do you get health care you get legal benefits that do add up over time."

The Vance SJA office also conducts an annual tax program in which volunteers fill out tax forms for their clients. That program is coordinated by Master Sgt. C.J. Stein, a paralegal and Vance's law office superintendent. Last year the volunteers did more than 500 tax returns, and have done nearly 300 thus far this tax season, he said.

"The savings is phenomenal from what you would expect to pay at a civilian preparation firm," said Stein.

"Last year you're talking \$100,000-plus in preparation fees that were saved," said Dubriske. "I think it was \$700,000 in refunds they got back last year."

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SJA staffers also advise troops who are getting ready to deploy from Vance, making sure they have their legal affairs in order before they leave, like drafting wills and powers of attorney, as well as making sure they are well-versed in the Law of Armed Conflict.

“We have so many young people that deploy,” said Capt. Michelle Crawford, deputy staff judge advocate, “they don’t necessarily think about how they are going to pay their bills. Or they want to give their best friend power of attorney. We see it all the time, people coming back and not having anything in their bank account. We tell them, ‘We’re not saying this will happen, but you need to think through it.’”

The Vance SJA office’s primary clients are the commanders of the base’s various flights. The SJA office advises commanders in matters of discipline that might not be considered criminal in the civilian world but fall under UCMJ.

“Our system is set up to where it is commander centric,” said Dubriske. “Commanders make the decisions, we serve as an adviser. That is our primary job, to advise them on the appropriate action for a particular disciplinary incident.”

The least severe offenses would be subject to administrative action, which then could escalate into Article 15 hearings, or, in the case of the most serious infractions, to courts-martial.

“There’s not a heavy work load in Article 15s and courts-martial,” said Dubriske. “We do a lot of administrative actions, advising commanders and first sergeants on the appropriate action to take against the military member.”

Vance’s SJA has jurisdiction over any active duty Air Force member. If a crime is committed off-base by a military member, SJA would ask the district attorney’s office to relinquish jurisdiction so the military can try the case. If a civilian commits a crime on base he or she will be prosecuted in federal magistrate’s court.

The military and civilian justice systems are similar in terms of rules of evidence but different in terms of processes and procedure.

In civilian criminal cases, preliminary hearings are held to determine whether or not there is sufficient evidence to go to trial. The military equivalent is called an Article 32 hearing, and its focus is different from its civilian counterpart.

“All the evidence is looked at in the light most favorable to the defendant,” said Capt. David Gassoway, chief of military justice at Vance. “It’s opposite in the civilian world, evidence is looked at in the light most favorable to the government.”

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